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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,054	07/21/2003	Ivan H. Bekkers	O320.101.102	5932

25281   7590   08/25/2005

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EXAMINER
OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 May 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8 and 11-33</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8 and 11-33</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20050516</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 9 and 10 have been cancelled, and Claim 33 has been added; therefore,

Claims 1-8 and 11-33 are now pending in application 10/624,054.

Claim Rejections - 35 USC § 101

2. The rejection of Claims 19-23 and 25-31 under 35 U.S.C. 101 are withdrawn due

to applicant's amendments.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by
the applicant for patent, except that an international application filed under the treaty defined in
section 351(a) shall have the effects for purposes of this subsection of an application filed in the
United States only if the international application designated the United States and was published
under Article 21(2) of such treaty in the English language.

3. **<u>Claims 15-18 and 25-28</u> is rejected under 35 U.S.C. 102(e) as being**

anticipated by Zirngibl et al. (US 6,836,537 B1).

4. As per **independent Claim 15**, Zirngibl discloses a distribution system for

distributing flight information to a plurality of customers, the distribution system

comprising: a plurality of customer profiles, each customer profile storing a list of

flight information requested by one of the plurality of customers (C9-C10, Claim

5) <u>and specifying a file format for receiving notification files from the distribution</u>

<u>system</u> (Claim 8, user provided contact information - e-mail or voice); a file·

generator for generating a notification file of flight information for each of the

plurality of customers based upon the customer profile corresponding to each of

the plurality of customers, <u>wherein each notification file is generated in the</u>

<u>specified file format in the customer profile corresponding to each of the plurality</u>

<u>of customers</u> (Claim 8, user provided contact information - e-mail or voice); and a

data distributor for selectively sending the notification files generated to the

plurality of customers (C10 L36-40, content based on profile)..

5.   As per Claim 16, Zirngibl discloses wherein the file generator is configured to

access flight information by accessing a data storage system, which stores flight

information.

6.   As per Claim 17, Zirngibl discloses wherein the plurality of customer profiles

includes at least one designated file format for each of the plurality of customers.

7.   As per Claim 18, Zirngibl discloses wherein the file generator is configured to

generate the file for each of the plurality of customers in one of the respective file

forma included in the plurality of customer profiles.

8.   As per **independent Claim 25**, Zirngibl discloses a method of distributing flight

information to a plurality of customers, the method comprising: providing a

customer profile for each of the plurality of customer <u>and storing the customer</u>

<u>profile to a database</u> (C9-C10, Claim 5)<u>, wherein the customer profile specifies a</u>

<u>file format</u> (Claim 8, user provided contact information - e-mail or voice);

identifying a change to flight information stored in a storage system; generating a

notification file for each <u>of a portion</u> of the plurality of customers based upon the

change to the flight information and the <u>corresponding</u> customer profile <u>using a</u>

file generator (C9-10), wherein each notification file is created in the file format

specified in the corresponding customer profile (Claim 5 and Claim 8); and

selectively sending notification files generated to the portion of the plurality of

customers via a data distributor; wherein the database, storage system, file

generator, and data distributor are each part of a computerized flight information

management system (abstract, C9-C10).

9. As per Claim 26, Zirngibl discloses wherein providing a customer profile for each

of the plurality of customers includes providing a designated format for the

notification files for each of the plurality of customers.

10. As per Claim 27, Zirngibl discloses wherein generating a file for the portion of

the plurality of customers includes generating the notification file in the format

provided in the customer profile.

11. As per Claim 28, Zirngibl discloses wherein selectively sending the notification

files generated to the portion of the plurality of customer includes sending the

generated notification files to the plurality of customers per the customer profiles.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as
set forth in section 102 of this title, if the differences between the subject matter sought to be
patented and the prior art are such that the subject matter as a whole would have been obvious
at the time the invention was made to a person having ordinary skill in the art to which said
subject matter pertains. Patentability shall not be negatived by the manner in which the
invention was made.

13. <u>Claims 1-8, 11-14, 19-24, and 29- 33</u> are rejected under 35 U.S.C. 103(a) as being unpatentable over Zirngibl in view of Stringfellow.

14. As per **independent Claim 1**, Zirngibl discloses a flight information system comprising: a collection system including: a collector for receiving flight information messages in a plurality of formats (C9 L50-67, C10 L1-27, data received from several data providers/formats: weather forecast, flight information financial information); and a distribution system for selectively sending converted flight information to a customer (C10 L36-40, content based on profile).

15. Zirngibl fails to expressly disclose a translator for converting flight information messages in the plurality of formats received by the data collector into flight information in a common format.

16. However, Zirngibl does disclose receiving travel component information from a wide variety of sources (airlines, hotels, tickets, etc., C7 L41-48, C9 L51-58, C10 L54-67).

17. Furthermore, Stringfellow discloses a system manager, which collects information from a variety of sources (flight information), decodes the signal (translator), and saves it in a database to be later distributed to a customer (C3-C5- specifically C4 L41-67)

18. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a translator for converting flight information messages in the plurality of formats received by the data collector into flight information in a common format, as disclosed by Stringfellow in the system disclosed by Zirngibl, for the advantage of providing a flight information

system, with the ability to increase system effectiveness and customer service by ensuring the validity of all information provided to the customer.

19. As per Claim 2, Zirngibl and Stringfellow disclose wherein the distribution system includes a file generator a notification file containing a portion of the flight information as a specified in a customer profile, the distribution system being configured to send the file generated by the file generator to the customer.

20. As per Claim 3, Zirngibl and Stringfellow disclose a data storage system having flight information received by the data collector and converted by the translator stored therein.

21. As per Claim 4, Zirngibl and Stringfellow disclose a tracking system having a record of flight information received by the data collector.

22. As per Claim 5, Zirngibl and Stringfellow disclose an error system for storing a record of errors detected in flight information received and for processing the detected errors (Zirngibl: C19 L20-50).

23. As per **independent Claim 6**, Zirngibl discloses a collection system for collecting flight information from a plurality of supplier, the collection system comprising: a collector for receiving flight information messages in a plurality of formats (C9 L50-67, C10 L1-27, data received from several data providers/formats: weather forecast, flight information financial information); and an authentication system for verifying flight information received by the collector was received from a valid supplier based upon a supplier profile, wherein the supplier profile designates at least one acceptable format of flight information messages received

from a corresponding supplier (C29-C30, authenticating a call request –

information to be transmitted to customer).

24. Zirngibl fails to expressly disclose a translator for converting flight information

messages in the plurality of formats received by the data collector into flight

information in a common format.

25. However, Zirngibl does disclose receiving travel component information from a

wide variety of sources (airlines, hotels, tickets, etc., C7 L41-48, C9 L51-58, C10

L54-67).

26. Furthermore, Stringfellow discloses a system manager, which collects information

from a variety of sources (flight information), decodes the signal (translator), and

saves it in a database to be later distributed to a customer (C3-C5- specifically C4

L41-67)

27. Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have included a translator for converting flight

information messages in the plurality of formats received by the data collector

into flight information in a common format, as disclosed by Stringfellow in the

system disclosed by Zirngibl, for the advantage of providing a flight information

system, with the ability to increase system effectiveness and customer service by

ensuring the validity of all information provided to the customer.

28. As per Claim 7, Zirngibl and Stringfellow disclose wherein the collector includes

a push (alert) information collector configured to receive flight information

messages from the plurality of suppliers.

29. As per Claim 8, Zirngibl and Stringfellow disclose wherein the collector includes
a pull (Input) information collector configured to periodically request and receive
flight information messages from the plurality of suppliers.

30. As per Claims 11 and 12, Zirngibl and Stringfellow disclose a validation system
for evaluating the syntax/content of the flight information messages received by
the collector.

31. As per Claim 13, Zirngibl and Stringfellow disclose wherein the collection system
is adapted to update a storage system with flight information received by the
collector.

32. As per Claim 14, Zirngibl and Stringfellow disclose wherein the collection system
is adapted to record flight information received to a transaction log.

33. As per **independent Claim 19**, Zirngibl discloses a method of collecting flight
information from a plurality of suppliers, the method comprising: receiving flight
information messages in a plurality of formats from the plurality of suppliers (C9
L50-67, C10 L1-27, data received from several data providers/formats: weather
forecast, flight information financial information), the plurality of suppliers
including at least two of an airline, a global distribution system, an air traffic
control system, and a schedule mainframe (C10 L1-13, flight information travel
component information); wherein receiving flight messages is performed by a
collector (C10, Claim1).

34. Zirngibl fails to expressly disclose a translator for converting flight information
messages in the plurality of formats received by the data collector into flight
information in a common format; and wherein translating the flight information is

performed by a translator, and the collector and the translator each being part of a computerized flight information management system.

35. However, Zirngibl does disclose receiving travel component information from a wide variety of sources (airlines, hotels, tickets, etc., C7 L41-48, C9 L51-58, C10 L54-67).

36. Furthermore, Stringfellow discloses a system manager, which collects information from a variety of sources (flight information), decodes the signal (translator), and saves it in a database to be later distributed to a customer (C3-C5- specifically C4 L41-67)

37. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a translator for converting flight information messages in the plurality of formats received by the data collector into flight information in a common format; and wherein translating the flight information is performed by a translator, and the collector and the translator each being part of a computerized flight information management system, as disclosed by Stringfellow in the system disclosed by Zirngibl, for the advantage of providing a flight information system, with the ability to increase system effectiveness and customer service by ensuring the validity of all information provided to the customer.

38. As per Claim 20, Zirngibl and Stringfellow disclose authenticating flight information received based upon a supplier profile, which designates at least one acceptable format of flight information message format for each of the plurality of suppliers.

39. As per Claim 21, Zirngibl and Stringfellow disclose validating flight information received including at least one of validating syntax and validating content of flight information received.

40. As per Claim 22, Zirngibl and Stringfellow disclose storing translated flight information in a storage system.

41. As per Claim 23, Zirngibl and Stringfellow disclose storing a record of flight information received to a transaction log.

42. As per Claim 24, Zirngibl and Stringfellow disclose wherein storing a record of flight information received to a transaction log includes forwarding at least a portion of the transaction log to at least one of a billing system, a market analysis system, and a customer support system.

43. As per **independent Claim 29**, Zirngibl discloses a method for providing flight information to a customer, the method comprising: defining a customer profile (C9- C10) including a financial model (subscription) and a list of flight information requested by the customer under the financial model (C4 L50-55); receiving flight information received in a plurality of formats from a plurality of suppliers (C10 L1-13, flight information travel component information); distributing flight information to the customer based upon the customer profile (C9-C10); tracking flight information distribution (C3 L55-67, C4 L1-55); and billing the customer based upon the financial model and the flight information tracked (C31-22-30).

44. Zirngibl fails to expressly disclose translating the flight information received in a plurality of formats to a common format.

45. However, Zirngibl does disclose receiving travel component information from a wide variety of sources (airlines, hotels, tickets, etc., C7 L41-48, C9 L51-58, C10 L54-67).

46. Furthermore, Stringfellow discloses a system manager, which collects information from a variety of sources (flight information), decodes the signal (translator), and saves it in a database to be later distributed to a customer (C3-C5- specifically C4 L41-67)

47. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included translating the flight information received in a plurality of formats to a common format, as disclosed by Stringfellow in the system disclosed by Zirngibl, for the advantage of providing a flight information system, with the ability to increase system effectiveness and customer service by ensuring the validity of all information provided to the customer.

48. Zirngibl and Longfellow fail to expressly disclose <u>discarding duplicative flight information received from the plurality of suppliers.</u>

49. However, data duplication diction and removal means were well known in the art at the time the invention was made, and would be advantageous to include in the system disclosed by Zirngibl and Longfellow to ensure proper data integrity within the system.

50. As per Claim 30, Zirngibl and Longfellow disclose wherein the financial model includes a service level and a price for the service level (Billing Module, C31 L22-30).

51. As per Claim 31, Zirngibl and Longfellow disclose wherein the service level

specifies the type and amount of flight information to be distributed to the

customer.

52. As per **independent Claim 32**, Zirngibl discloses a computer-readable medium

having computer executable instructions for performing a method for collecting

flight information comprising: receiving flight information in a plurality of

formats (C9 L50-67, C10 L1-27, data received from several data

providers/formats: weather forecast, flight information financial information)

from a plurality of suppliers (C10 L1-13); including at least two of an airline, a

global distribution system, an air traffic control system, and a schedule mainframe

(C10 L1-13, flight information, travel component information); and storing the

flight information in the common format to a data storage system (C10 L54-67).

53. Zirngibl fails to expressly disclose translating the flight information received in a

plurality of formats to a common format.

54. However, Zirngibl does disclose receiving travel component information from a

wide variety of sources (airlines, hotels, tickets, etc., C7 L41-48, C9 L51-58, C10

L54-67).

55. Furthermore, Stringfellow discloses a system manager, which collects information

from a variety of sources (flight information), decodes the signal (translator), and

saves it in a database to be later distributed to a customer (C3-C5- specifically C4

L41-67)

56. Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have included translating the flight information

received in a plurality of formats to a common format, as disclosed by

Stringfellow in the system disclosed by Zirngibl, for the advantage of providing a

flight information system, with the ability to increase system effectiveness and

customer service by ensuring the validity of all information provided to the

customer.

57. As per **independent Claim 33**, Zirngibl discloses a flight information system

comprising a collection system including: a collector for receiving flight

information messages in a plurality of formats from a plurality of suppliers (C9

L50-67, C10 L1-27, data received from several data providers/formats: weather

forecast, flight information financial information), the plurality of suppliers

including at least two of an airline, a global distribution system, an air traffic

control system (C10 L1-13, flight information travel component information), and

a schedule mainframe (C9-C10), an authentication system for verifying that the

received flight information was received from a valid supplier based upon a

supplier profile (C29-C30, authenticating a call request – information to be

transmitted to customer), wherein the supplier profile designates at least one

acceptable format of flight information messages received from a corresponding

one of the plurality of suppliers (C29-C30); and a distribution system for

selectively sending converted flight information to a customer based on a

customer profile specifying a file format in which the converted flight information

is to be sent to the customer (C9-C10).

58. Zirngibl fails to expressly disclose <u>a translator for converting flight information</u> <u>messages in the plurality of formats received by the data collector into flight</u> <u>information in a common format</u>.

59. However, Zirngibl does disclose receiving travel component information from a wide variety of sources (airlines, hotels, tickets, etc., C7 L41-48, C9 L51-58, C10 L54-67).

60. Furthermore, Stringfellow discloses a system manager, which collects information from a variety of sources (flight information), decodes the signal (translator), and saves it in a database to be later distributed to a customer (C3-C5- specifically C4 L41-67)

61. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a translator for converting flight information messages in the plurality of formats received by the data collector into flight information in a common format, as disclosed by Stringfellow in the system disclosed by Zirngibl, for the advantage of providing a flight information system, with the ability to increase system effectiveness and customer service by ensuring the validity of all information provided to the customer.

Response to Arguments

62. Applicant's arguments filed 5/31/05 have been considered, but are moot in view of the new ground(s) of rejection.

63. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in

37 CFR 1.136(a).

64. A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed

within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will expire on the date the

advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will

be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the date
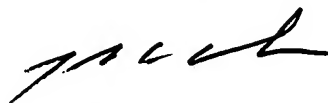
of this final action.

Conclusion

65. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jonathan Ouellette whose telephone number is

(571) 272-6807. The examiner can normally be reached on Monday through

Thursday, 8am - 5:00pm.

66. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Weiss can be reached on (571) 272-6812. The fax phone

numbers for the organization where this application or proceeding is assigned

(571) 273-8300 for all official communications.

67. Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Office of Initial Patent Examination whose

telephone number is (703) 308-1202.

August 19, 2005

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600